

REMARKS

Claims 1-3, 7, 12, and 15 are pending, of which independent claims 7, 12, and 15 have been allowed and claims 1-3 remain rejected.

This is a response to an *Advisory Action Before the Filing of an Appeal Brief* mailed October 22, 2007. Previously a response electronically sent per EFS ID No. 2145317 to an *Advisory Action Before the Filing of an Appeal Brief* mailed August 16, 2007 was filed in reply to a Response mailed August 2, 2007 to a Final Office Action mailed March 2, 2007. However, in the *Advisory Action* of October 22, 2007, the proposed amendments to the *Advisory Action* of August 16, 2007 were not entered.

In the meantime, Applicant believes the application has been abandoned unintentionally and notes that a petition to revive for unintentional abandonment accompanies this Request for Continued Examination.

In the August 16, 2007 *Advisory Action* the Examiner noted that "the amendments to the claims raises various 112 issues through the claims", e.g., that claim 1 was indefinite as to whether the signal is the same as the signal in claim 7. To comport with Examiner's request "to fix all indefinite and conflicting language in the claims", the amended claims provided in this response are believed by the Applicant to meet 35 U.S.C. § 112 requirements.

In this Response claims 1-3, have been amended to be responsive to both August 16 and August 22 *Advisory Actions* and the preceding *Final Office Action* and previously pending claims 5, 6, 8 -11,13, and 14 have been canceled. No claims have been added. No new matter has been added to the application.

Upon a favorable granting of the petition to revive the application, and pursuant to 37 C.F.R. § 1.111, Applicants respectfully request reconsideration of the pending claims.

ALLOWABLE SUBJECT MATTER

Applicant thanks the Examiner for allowing claims 7, 12 and 15.



REJECTION OF CLAIMS 1-3, 8-10 AND 16-19 UNDER 35 U.S.C. § 102

In the final Office Action of March 2, 2007, the Examiner rejected claims 1-3, 8-10, 13 and 16-19 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,764,644 to Miska et al. (Miska). Claims 8-10 and 16-19 have been canceled. Claim 1 has been amended to include limitations other than those taught by Miska in that Miska teaches that transmissions are made recognizable for recipients by re-encoding transmissions at different transmission rates (see Abstract of Miska, lines 16-22). Human users cannot always understand sent transmissions based upon adjusting transmission rates taught by Miska.

Amended claim 1 now claims a method that comprises “preprocessing a received signal according to a transmission destination of the received signal to determine a signal path to the transmission destination from a user input unit, determining a processing algorithm from a plurality of signal processing algorithms including algorithms to assist speech recognition based on the transmission destination, processing the received signal according to the determined algorithm; and sending the processed signal to the transmission destination from the user input unit” (emphasis added). Referencing the application as published per U.S. Pat. Application Pub. No. US2002/0143552A1, support for the user input’s ability for determining a processing algorithms from a plurality of signal processing algorithms including algorithms to assist speech recognition is found, for example, on page 2, paragraph 0015, sentences 2-4.

Miska does not teach nor describe whether user input units are capable of determining processing algorithms capable of assisting speech recognition and sending processed signal to the transmission destination from the user input unit. Miska, per column 8, lines 9-39 require external ATM switches and related backbone networks separate from the user input units to utilize speech recognition and other algorithms for sending to transmission destinations.

Amendments to dependent claims 2 and 3 are made for maintaining antecedent consistency with currently amended claim 1 and to meet the 35 U.S.C. § 112 requirements.

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As such, independent claim 1 is allowable and dependent claims 2 and 3 are now allowable by virtue of their dependency.

Claims 8-10 and 16-19 have been canceled, rendering the rejections to these claims moot.

REJECTION OF CLAIMS 4-6, 11 AND 14 UNDER 35 U.S.C. § 102

By cancellation of claims 4-6, 11, and 14, the rejections are now moot.

REJECTION OF CLAIMS 3 AND 10 UNDER 35 U.S.C. § 103

The Examiner rejected claims 3 and 10 under 35 U.S.C. § 103 as being unpatentable over Miska in view of U.S. Patent Publication No. 2001/0033643 to Mulvey et al. Per summary of Mulvey, Mulvey teaches the blocking of unwanted telemarketer or other caller, or to render the recipient of an unwanted call ignorant of an incoming call from a problem caller. Mulvey's algorithms are directed to categorizing and subsequently blocking or frustrating incoming calls originating or associated with undesired entities. Applicant's algorithms, as claimed in claim 1, do not concern the categorization and subsequent blocking of incoming calls to a recipient.

Neither Mulvey nor Miska nor the combination of Mulvey and Miska teach nor suggest what is being claimed in currently amended claim 1 described above from which claim 3 depends.

Claim 10 is now cancelled to renders its rejection moot.

Accordingly, Applicant respectfully posits that currently amended claim 3 along is now allowable over the combination of Miska and Mulvey .

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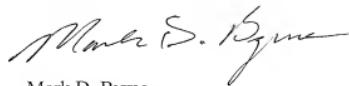


CONCLUSION

For the foregoing reasons, applicant respectfully requests reconsideration and withdrawal of the rejections of claims 1-3 and allowance with previously allowed claims 7, 12, and 15 to secure allowance of the pending claims. If there are any remaining matters that may be handled by telephone conference, the Examiner is kindly invited to call the undersigned.

Respectfully submitted,

BLACK LOWE & GRAHAM PLLC



Mark D. Byme
Registration No. 50,125
Direct Dial: 206.957.2481

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BLACK LOWE & GRAHAM PLLC



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F. 206.381.3301